WEATHER FORECAST.

fair. North Carolina—Fair Wednesday, much colder in eastern portions, colder in western portions; high northwesterly winds; diminishing. Thursday rain, probable,

AWFULCONDITIONS

IN STATE PRISON

Surgeon Discusses Peri-

tentiary Situation.

SHAME ON THE STATE.

Strong Appeal to the Law-Makers to

Make Better Provision.

THE CELLS ARE OVERCROWDED

Convicts Huddled Together as No Human

PRICE TWO CENTS.

VOL. 16. NO. 39.

RICHMOND. VA. WEDNESDAY. MARCH 27. 1901

BRINGING ORDER OUT OF CHAOS

Relief Work Proceeds in Birmingham.

DEAD LIST REVISED.

The Total Now Numbers Eighteen Killed.

THIRTY-FIVE WERE INJURED.

Of These Two Are in a Precarious Condition Some Reported Dead Have Shown Up. Funerals of Victims Peculiarly Sad, and There Were Few Dry Eyes Among

(By Associated Press.)

BIRMINGHAM, ALA., March 26.-Under the harmonious working of the State militia and local police much order has come out of yesterday chaos, inc.dent to the fatal storm which swept portions of this city. A careful revision of the death list places the total number of dead in the city at thirteen, several persons who were missing and had been reported dead

having shown up.

Two women reported missing at Irondale are believed to be dead under wrecked buildings. If they are dead this will increase the total to eighteen. The following is a complete list of the

Dr. Chapman, Mrs. Robert G. Lowe, in fant son of Robert G. Lowe, three-year-old daughter of B. B. Hindsen, L. L. Chulumpe, German; John Myro, Carrie Henry, eight years old; Carrie Hudson, Maggie F. Stedmyer, school girl; Lizzi Goodlow, Lizzie Glenn, cook of B. B. Hudson.

Dead at Irondale: John Gardner (white), Mimic and Clarence "Hunter (pelored), two negro women missing. THE INJURED.

THE INJURED.

Thirty-five persons were more or less seriously hurt in Birmingham. Mrs. R. H. Thomas and Mr. W. P. Dickinson, who are at St. Vincent's Hospital, are in a precarious condition. J. Alexander, the merchant reported killed yesterday, was only severely injured. He crawled out of the ruins immediately after the In the ruins a body very much disfigured was found and it was thought to ured was found and it was thought to be his, but this morning it was discov-ered that the dead man is J. C. Chul-umpe, a German, who was in the store making a purchase when the cyclone wrecked it.

SAD FUNERALS. SAD FUNERALS.

The saddest feature of to-day was the funerals, that of Mrs. Robert J. Lowe and child taking place this morning at a neighboring home. The home was packed with men, women, and children, and every eye was wet. The young mether was a beautiful and charming weman, and her death touched every heart. Her babe lies in her arms, and both are en route to Athens, Ala., where Mrs. Lowe was born.

The relief fund raised by the people of Birmingham is growing with an as-

of Birmingham is growing with an as

or Birmingham is growing with an as-tenishing rapidity. It has already reached \$4.000.

Mayor F. Drennen authorizes the statement that the sufferers are not in need of outside contributions.

The property loss is placed at about

STORM LIFTED. The storm seemed to have lifted after leaving farmingham, and beyond giving leaving farmingham, and beyond giving Huntaville. Ala, a slight touch, did not make itself felt until it passed over into Georgia last night. At Chambers, Ga., near Fome, a railroad depot was blown into a creek and washed away. At Rounsaville a big flouring mill was destroyed, together with many thousand bushels of wreat. The handsome residence of the beautiful family was wrecked but no lingsaville family was wrecked, but no

The cyclone struck Buena Vista, Ga., at to check in the afternoon. The young child of Mr. and Mrs. J. D. Harrell was killed, as was also a negro girl. The home of the Misses Woodall was wrecked and the occupants seriously injured. At Cartersville lightning struck a small

killing two children. Owing to the tremendous rains the rivers in Northern and Northwestern Georgia

are out of their banks.

At Atlanta this morning one and seventy-nine-one hundredths inches of rain fell in five minutes, breaking all records.

'NO OBLIGATIONS IMPOSED.

Difficulties.

Dreibund in No Way Responsible for Italy's

(By Associated Press.)
BERLIN, March 26.—The insistence o the French newspapers that Italy is con-templating withdrawing from the Drei-bund, owing to the obligations imposed by that alliance being the cause of Italy's by that animales being the cause of real of financial difficulties, has called out an inspired statement in the semi-official North German Gazette to the effect that the allies never imposed upon Italy any suggestions in regard to the employment of the Italian army. The Dreibund al lows the complete freedom of the three allies in regard to fixing the strength of their land and sea forces. They can re-duce them if desired, in accordance with the internal requirements of the Stat

The North German Gazette thinks it desirable to "Emphasize this fact in view of the legend, designedly prepagated in several localities, that the financial diffi ulties of Italy are connected with the obligations imposed by the Dreibund. No such obligations exist."

TOBACCO TAXES.

Rules and Regulations Issued by Commissioner of Revenue.

(By Associated Press,) (By Associated Press.)

WASHINGTON, March 26.—The Commissioner of Internal Revenue to-day issued rules and regulations concerning taxes of tobacco, cigars and cigarettes and relating to rebate to taxes on to-bacco, sauff and cigars held by manufacturers and dealers on the first day of table 1901, under act of March 2d, 1901. 1901, under act of March 2d, 1901. A new series of internal revenue stamps will be prepared and issued for the payment of taxes on clgars and small clgarettes at the new rates. These stamps will not be issued or delivered to manufacturers or importers of clgars

Unused stamps of the series of 1897 and 1998, for the payment of taxes on clears great I and small cigarettes, and held by man- lution.

ufacturers of cigars on the first day of July, 1901, will be redeemed; provided, however, that stamps of the series of 1895 issued for payment of tax on cigarettes weighing more than 3 pounds per thousand, will not be retired, nor stamps of any other series be issued in lieu thereof.

It is held that the wholesale value or price of cigarettes weighing not more than three pounds per thousand will include the tax, and if such wholesale value or price with tax included, does not exceed \$2 per thousand, a tax will be imposed of 54 cents per thousand. If, however, the wholesale value or price of cigarettes with tax included exceeds \$2 per thousand, a tax at the rate of \$1.80 per thousand will be imposed.

Collectors before selling stamps to manufacturers or importers of cigarettes at the rate of 54 cents per thousand must be satisfied that the wholesale value or price of the cigarettes, properly packed, labelled, stamped, will not exceed \$2 per thousand.

It appears that the wholesale value or lie and the content of the cigarettes.

It appears that the wholesale value of price of cigarettes per thousand at the present time is not in any case less than \$5.50 per thousand, freight prepaid.

TOSSED BY GALES.

La Gascogne Reaches New York Alter Rough Voyage.

(By Associated Press.)
NEW YORK, March 26.—Battered by fierce scas and tossed about by terrific gales, the French line steamer La Gascogne arrived to-day from Havre 48 hours overdue. The liner left Havre on the control of the line of March 16th and until March 20th had very fine weather. On the morning of the "1st the wind came up from the corthwest and the gales lasted through-out the following three days and several times the steamer was obliged to turn tail and run before the fury of the blast.
Great seas broke over the starboard side with enormous force, the lifeboats on the upper deck were wrenched from the davits and smashed, the davits being bent almost double. Two of the rafts were lifted bodily from the upper deck and dropped down upon the uper-structure, smashing sky-lights and autilators. The rafts were damaged be-

Fortunately none of the passengers THE CZAR UNNERVED.

Uneasy Over Numerous Attempts on His Life.

(By Associated Press.) LONDON, March 28.—A dispatch from St. Petersburg to Reuters' Telegram Com-pany says the Minister of the Interior has published instructions for the authorities of the towns and provinces to use preventative measures against disturb-ances, as being more effective than severe repression after disorders have broken

The Birmingham Post, which is closely in touch, with Joseph Chamberlain, says news received in high quarters in London indicates that the Czar is in a very nerv-ous state ewing to the condition of the political horizon. It is said that he fears the result of the policy of his ministers in the far East, while the student troubles and threats against his life, of which there are more than have been published, have completedly unnerved His Majesty.

PLOT AGAINST CZAR.

Mine Discovered Under his Palace-Notable Implicated.

(By Associated Press.) LONDON, March 26.—A dispatch to Exchange Telegraph Company from Paris states on the highest authority that a mine has been discovered beneath the palace of Emperor Nicholas, at Tsarkoe-Scle, 17 miles south of St. Petersburg.

Several notabilities, the dispatch fur-ther says, are implicated in the plot against His Majesty. The Russian press was not permitted to mention the affair

PRESIDENT OF THE ERIE.

P. Underwood Has Accepted the Position.

(Br Associated Press.) NEW YORK, March 26.—The Evening

"Vice-President F. P. Underwood, of the Baltimore and Ohio Railroad, has accepted the presidency of the Eric Railroad. President Hill, of the Great Northern Railway, is to-day in Baltimore con-ferring with Mr. Underwood, and when he returns to New York later in the week it is probable that all details as to when Mr. Underwood will take up his duties on the Eric Railroad will be settled."

WILL DEMAND APOLOGY.

The Sultan of Morocco Must Come Terms.

(By Associated Press.)
TANGIER, MOROCCO, March 26.—Th American Consul-General here, Mr. Gom mere, says he intends to have a definit settlement with the Sultan of Morocco concerning all American claims, and will demand an apology for the discourtesy of the Moroccan Grand Vizier and Minis

ter of Foreign Affairs.

The New York arrived here to-day,

Ordered to Proceed.

(By Associated Press.)
WASHINGTON, (March 28.—Upon being advised by the Navy Department that the New York had arrived at Tangier, the State Department immediately sent a eablegram to Consul-General Gommere, directing him to board the New York once and go forward on his special mis-

It can be stated that if the court does not appear at Mazargan by the third week in April then Consul-General Gommere will go to Morocco City.

NEW POLICY.

Naval Cadets to Have the Use of Battleship Indiana.

(By Associated Press.) WASHINGTON, March 26.—The Navy Department has inaugurated an entirely new policy by designating a first-class battleship, the Indiana, for the service of the cadets of the United States Naval Academy. The Indiana is now at the Philadelphia Navy Yard, where she is to be put in shape for the cadets to go aboard her the latter part of May.

The North Atlantic Squadron will stop

Preparing for a Revolution.

at Kingston, Jamaica, en route north.

(By Associated Press.) KINGSTON, JAMAICA, March 26.-In nsequence of pressure brought to bear by the British consul the President of Ecuador has ordered the withdrawal of the armed soldiers guarding the camps of the Jamalcan laborers employed in the construction of the railroad from Guayaguil to Quito, under the auspices of Mr. McDonald, the American contrac-

The Government of Ecuador is making great preparations for an expected revo-

NO ONE CAN PICK OUT THE WINNERS

Shrewd Politician Says Result is in Doubt.

ALL ARE GOOD MEN.

Each One Has Some Especial Element of Strength.

SEVERAL HAVE NOT RUN BEFORE

A Prominent Democratic Leader, Who Has Studied the Situation, Thinks Any One Who Can Poll 2,500 Votes Will Easily Be Nominated -- What He Says of Those in

"I do not think any man can with any degree of certainty predict who will be the five men nominated on the Demoeratic ticket for delegates to the Constitutional Convention in the primary of Thursday."

This was the remark made to a Times reported by one of the most prominent Democratic leaders in Richmond.

"I will tell you why the result is so ery uncertain," said this leader. "Few of the candidates have ever before asked for the suffrages of the people. You can, as a rule, make a pretty safe guess as to a man running for office who has been voted for before. But here we have now, generally, new timber. The candidates are not wide apart in their views on the great questions the convention will have to deal with. They are men

of unimpeachable character.

THE CANDIDATES.

"Let's take the list and start at the Let's take the list and start at the public office and has generally been successful. He will be one, but I am not going to predict the ticket. Captain Wise has perhaps a larger personal ac-quaintance with voters than any one running. It is needless to say he will show up well.
"Then there is Carter Scott. He & a

young man of ambition, and, I should say, of more than ordinary ability. He has never before been a candidate before the people, though he has filled the of-fice of Attorney-General of the State by appointment. Scott has friends who are very much mistaken, he will be right up in the lead and it would not surprise me a bit if he should make a Garrison finish. working hard for him and, if I am not

"Prentice Patterson has twice run in Democratic primaries, once for delegate to the State Convention and once for the to the State Convention and once for the House of Delegates. He won both times against heavy odds. Patterson is a hard man to beat under any circumstances. He is a man of most delightful person.

He is a man of most delightful personality. As a vote-getier, I regard him as a man with few superiors.
"Mr. Virginius Newton has not before run for any office within the gift of the people. He is a brainy man, a lawyer, and business man. I do not know what his strength is, but from what I hear I should place him in the class of those likely to win. likely to win

MIC MEREDITH. "I don't think Mr. Meredith has asked a single person to vote for him, but no man would not be foolish enough to bet money that he will not be nominated. oll classes have confidence in his honesty, and they know he is an able man.

"Major A. S. Lanier appears for the man of many excellent qualities. He is a young man of many excellent qualities. He has a strong support, especially among the young men, the military people in par-

"John A. Curtis has run for office be fore, and if my recollection serves me right, he has never been defeated. He is personally known to more voters than any man running, save Capt. Wise. Captain Curtis is, if I am not mistaken, in the

righting chance class.

"Col. Buford has generally been successful when aspiring for office. He is one man that seems to be in favor with all classes and people of all conditions of society. The Colonel is going to run

mighty well.

AS TO MR. ROYALL.

"When 'Buck' Royall first came as a candiate I did not think he stood a ghost of a chance to win, but he has developed. remarkable strength. The man who would bet he will not be one of the five does not understand the situation. Roy-all, if he loses, will lose, as the horsemen

would say, by only a 'nose,'
"Now, there is J. Garland Pollard, who for the first time, asks the people to vote for him. He has a backing that any man unning for office would be proud of Pollard is going to be well up in the

"John S. Moore is another of those who have never before run for public office. He has a splendid backing by business men. His friends are hustlers. I think his chances are good.
"Hill Montague has developed mor

strength than I expected. I place him it strength than I expected. I place him in the class of those who may win. I will not say he will surely win, for no man running is a sure winner in my judgment. But his chances are excellent.

"I might say the same of James W. Gordon that I have said of Mr. Montague. Mr. Gordon has not run for office before, except in his ward as a candidate for the Charles are committee. These he re-City Democratic Committee. There he re-ceived nearly all the votes east. If not in the first bunch of five at the finish he

will not be far off.
"Judge Christian ought to, and I believe will, make a fine run. He has the almost solid support of Confederate veterans and the business men are for him people of every class have confidence

in him.

MR. BLOOMBERG.

"And, now last, but not least, Sol Bloomberg is going to surprise some people. If he is not a winner I will be greatly surprised. He is on the ticket of nine out of ten people I talk with.

"But, as I have said before, it is going."

out the five lucky men. No result would be a great surprise to me. I think the man who is able to get 2,500 votes will win easily, for I do not think there will be a great surprise to me. easily, for I do not think there will be more than 6,000 or 7,000 votes polled."

SHORT POLITICAL NOTES.

Lt. Governor Echols Here-His Strength in

The only feature of the political arena yesterday, that is Murphy's lobby, was

the arrival of Lieutenant-Governor Echols last night. He was on his way home from Cumberland Courthouse. He tried to get a room at Murphy's, but every room in the hostelry was taken and the genial "Governor" had to tice his way to the Jefferson.

But before he left the down town hotel

a large number of friends came up to shake hands, and for a few minutes he held quite a leve, standing at the desk. "I am thoroughly pleased with the outlook so far as my contest is concerned. said Mr. Echols to a Times writer. am in constant receipt of letters fra all over Virginia, giving me assurances of support from persons whom I did not know as my supporters. I am not losing any sleep over this fight, but I am doing all the work needed, and work which I think will prove most effective." And Mr. Echols picked up his grip and started out in search of a home, there was no room in the inn.".

The friends of Mr. Echols are constantly expressing gratification at the strength which he has developed throughout the State. It is a fact that they are claiming that their man will get more Richnond delegates than will Mr. Swanson. This is not conceded and the event will hardly prove it true. The great question is, in case of a prolonged deadlock between Swanson and Montague in the convention, and a final breakaway, would convention, and a final breakaway, would the Swanson and Montague men go to Marshall or to Echols? A Marshall man said last night that he had little doubt that in case there was a deadlock between the two leading candidates and a break to the weaker men, Marshall would get the bulk of the strong men's sup-port. It would seem that Echols would stand just as good chance to make votes in this way as Marshall.

Colonel George C. Cabell, Jr., of Dan-ville, is at the Jefferson. He says there is no doubt that Mr. Montague will carry is no doubt that Mr. Montague will carry Danville. He is an ardent supporter of the Attorney-General. Colonel Cabell thinks Hon. Eugene Withers will repre-sent Danville in the Constitutional Convention. But Colonel Cabell has been frequently spoken of as a delegate.

Mr. Swanson received many visitors at his headquarters at Murphy's yesterday his headquarters at Murphy's yesterday, including a number of prominent Demo-erats from various points in the State. Last night he and Senator Martin were out when the newspaper men cropped in. The two were together the greater portion of the day, and had a carriage him in the afternoon. Mr. Swanson's drive in the afternoon. Mr. Swanson's mail is very heavy.

The primary election to nominate five candidates for the Constitutional Conven-tion-from this city will be held at all the precincts in Richmond from 6 o'clock This will be the second county or city in the State to act. Halifax having nominated her candidates several days ago. Dates for primaries have been fixed in a great many of the counties and cities, and by the 1st of May nearly all the nomina-tions will have been made. Augusta and Bedford have fixed April 13th; Henrico April 14th; Amherst, April 23d, and Ac-comac, April 27th. One significant fea-ture of the canvass is the high class of who are offering for the convention

The Marshall Ward Democratic Club might, and addresses will be made by all the candidates for the Constitutional Convention. Rain prevented a large attendance of voters at the meeting Monday night, and President Hicks desires that the aspirants for the convention shall have a chance to address the voters of the East-End.

Secretary A. O. Boschen, of the City Democratic Committee, and all the ward superintendents will neet at Room No.
11, City Hall, at 10 o'clock to-day for
the purpose of delivering the booths, books, tickets and other things neces-sary to the conduct of the primary to-morrow to the judges and clerks of

the various precincts. Mr. Boschen requests the judges and clerks to call promptly at 10 o'clock, so the work may be completed by noon at least.

Chairman J. Taylor Ellyson indicated yesterday that he would issue a call for a meeting of the State Committee to fix the basis of representation of the several counties and cities and a time and place for holding the convention to nominate

(Continued on Sixth Page.)

WILL NOT HAVE HONOR SYSTEM

Students of the Medical College of Virginia Fail to Adopt It.

The students of the Medical College of Virginia decided finally yesterday that the honor system should not prevail at the examinations this year.

The graduating class considered the matter fully at a meeting yesterday, and, by a vote of 29 for to 15 against, failed to adopt the system, a ruling of the Taculty requiring that 80 per cent, of the students should vote affirmatively on the proposition to give it effect.

The honor system formerly obtained at the institution. So far as known no rea son was given for its abolishment four or five years ago. The proposition to re-establish the system this year met with warmest favor at first, but some misunderstandings arose, opposition developed and it is understood that, at the meeting yesterday, several of those who voted in the negative were at one time warmest supporters of the proposition. It is known that a number of the laculty wanted the

honor system to obtain.

But every student examined must sign statement at the close of his paper, stating that he has not received aid on the examination.

Awarded Damages.

(By Associated Press.) 1.ONDON, March 26.—Arthur Chamber lain, in his libel suit against the Star and the Morning Leader, has been awarded £1,500 damages.

After the verdict in the case of Arthur

Chamberlain, Neville Chamberlain's libel suit against the same papers was settled for similar damages, and all imputations have been withdrawn.

Dispersed Robber Bands.

(By Associated Press.)

BERLIN, March 26.—A dispatch from, Field Marshal von Waldersee, dated Pekin, March 25th, says Major von Muelmann's detachment, which started a few days ago on a punitive expedition from the company of the co Pan Ting Fu, encountered robber bands eastward of Tao Ma Kuan March 22d and March 24th, and dispersed them with slight resistance.

STUART R. BAILEY WAS ACQUITTED

Jury Out Only Eight Minutes.

COURTROOMCROWDED

Great Interest Manifested in the Trial.

NO ARGUMENTS WERE MADE.

The Prisoner and Wife of the Dead Man were

Both on the Stand During the Day. Case Submitted Without Argument, and Verdict of Not Guilty Was Quickly Rendered.

(Special Dispatch to The Times.) CHARLOTTESVILLE, VA., March 26.-Not guilty was the verdict of the jury before whom Stuart R. Bailey was tried today for the killing of City Treasurer John L. Walters.

The taking of testimony was concluded and the case submitted without argument at 5:15 o'clock P. M., and eight minutes later the above verdict was rendered.

The tragedy which resulted in Mr. Walters' death was one that stirred the city to its depth, and when the trial opened before Judge George W. Morris this morning in the Corporation Court the largest crowd ever assembled at the courthous was present and listened to the proceed ings throughout with rapt interest. PRISONER ENTERED.

Promptly at 10 o'clock this morning the prisoner entered the court-room, accom-panied by Mrs. Walters, his sister; Dr. Grafton D. Balley, of Washington, D. C., his brother; Dr. Hugh T. Nelson, his physician, and his counsel, Messrs. George Perkins and Daniel Harmon. Mrs. Walters took a seat to the left of the prisoner, with Dr. Grafton Balley on her left. About 11:45 the mother of the prisoner, Mrs. Rice W. Balley, of Washington, en-tered the court-room, accompanied by her other son, Mr. Lee Bailey. She was given the chair on the left of her daughter. Every scat in the court-room was taken and a crowd filled the aisles and galleries

The prisoner was arraigned and pleaded not guilty. Out of the first venire summoned twelve jurors were secured, second venire of sixteen was ordered by the court. The following gentlemen composed the jury as finally made up: J. A. Gilmore D. J. Eastham, T. S. Jones, W. E. Comp.

ton, H. A. George, J. H. Ferguson, Se Kaufman, J. P. Smith, Charles E. Jones, F. R. Bowers, J. O. H. Pendleton and E. I. Caruthers.
DEAD MAN'S CLOTHES.

DEAD MAN'S CLOTHES.

At this point there was brought into court the clothing worn by John L. Walters on the night he was killed, the pistols used by prisoner and the deceased, and also a pair of knucks taken from the pockets of Walters after his death.

The prisoner stood up and heard the indictment read, after which the witnesses were called.

The Commonwealth's Attorney, Mr. Frank Gilmer, called Mr. R. L. Undike,

Frank Gilmer, called Mr. R. L. Updike who was an eye witness of the tragedy to the stand. The witness said, "I was requested by Mr. Walters to watch his house the day the shooting occurred, to see if Mr. W. P. Farrer, the saloon-keeper, entered it. I saw only a boy embasket." Later witness watched rear of house at night, while Walters watched the front. After he had been there a

to the front door.

The curtains of the sitting-room was drawn closely, and they were unable to see who were in the room. Walters tried to go in the front door, and when he tried his key he said. "they have changed the lock on me." Walters went in later, and turned to witness and said, "I don't need you." Later witness heard a fuss in the room and Mrs. Walters screamed. He went in the room. Mrs. Walters said: "Mr. Walters hit me in the face, and my nose is bleeding.' Witness then discribed the shooting repeating the statement he made before the coroner's jury, saying that he thought Walters fired first. He said that after the shooting began he thought Walters tried to get out of the room. Walters finally fell in the hall, and prisoner jumped on him hitting him several times in the face Witness then went to get a doctor. When he returned he met Mrs. Walters, who said another shot had been fired after he had left the house. The clothing of the deceased had caught on fire from the pis-

tol. He extinguished it.

MADE A DIAGRAM.

Witness made a diagram of the roo n which the tragedy occurred, and ex plained it to the jury. Witness then testified that Mrs. Walters was standing still in the room when witness entered, and Bailey was going around the table towards Walters, After Walters drew his pistol he had plenty time to shoot Bailey. When the shooting began Wal-ters seemed to be going towards the door

with Bailey following.

AFTERNOON SESSION. AFTERNOON SESSION.

At the afternoon session Dr. Hugh T. Nelson was put on the stand. He said that he was called by 'phone to the Walter, residence on the night of the shooting. He found Mr. Walters dead. He then examined the wounds of Mr. Bailey, who had been hit in his left wrist and slightly examined the wounds of Mr. Balley, who had been hit in his left wrist and slightly wounded in the chest. The body of Walters was lying on its left side, with head and shoulders inside of the paflor door and head in the ball. and shoulders inside of the partor door and body in the hall. There were five wounds on the person of Walters, four in the breast and one in his left wrist. Either one of the first four wounds would have proven fatal.

At the request of iMr. Gilmer, the witness, with Dr. W. M. Kandolph, examined the body after it had been placed in the coffin, and there was no evidence of any wound or bruises about the head except a bruise on the nose and a slight abrasion on the inside of his lip. Witness did not probe the wounds in body of deceased, but he was positive the firing was done while Walters was standing up. There were powder burns on the left hand of deceased and one of his front teeth was knocked loose. Saw no bruises on Mrs. Walters' face. On the next morning her nose was swollen.

BAILEY TESTIFIES. Mr. Stuart Bailey, the prisoner, testified that he had lived in Charlottesville about a year. Prior to that time he had lived in Washington for about eight years. "My sister, Mrs. Walters, asked mo to visit her, and while here I met Mr. W. P. Far-

rar, and he offered me an interest with him in the Imperial Cafe. He lived with his sister, on Ridge Street, after coming to Charlottesville. His relations with Walters were as kind as could be. Always considered him more like a father.

"On the night of the tragedy sister phoned for witness and he went to her

phoned for witness and he went to her home between eight and nine o'clock. Had been there three of four minutes when Walters came in, with shot gun, and said: 'I thought you were Bill Farrar and I in-tended blowing your brains out.' "
SLAPFED HIS WIFE.

SLAPFED HIS WIFE.

After putting his gun in the corner, Walters walked to Mrs. Walters and said he intended to have a settlement with her and slapped her. Witness asked him what he meant. Walters said nothing, but tried to get his gun and witness again grabbed him to hold him. Walters said he would yet do anything if witness let go but after nim to hold him. Walters said he would not do anything if witness let go, but after turned loose he pulled his pistol and shot twice before witness could get his pistol. Witness was shot in left wrist as he at-

Witness was shot in left wrist as he attempted to get Waiters' pistol. After Waiters fired twice, the accused fired as rapidly as he could.

Bailey explained how the firing of the shot after Updike left the house occurred. He explained that he was examining the pistol of Mr. Walters and it acclientally went off, the ball hitting his left forefinger and lodging to the left of the parlor door. He did not hit Walters after he fell, but knelt to see if Walters was fell, but knelt to see if Walters was dead. MRS. WALTERS ON STAND.

MRS. WALTERS ON STAND.

Mrs. John L. Waiters testified; said she was a sister of Stuart Balley; she frequently 'phoned for her brother to come and stay with her when lonesome. Ar. Walters had said that he would be out late that night. She 'phoned for her brother to come out and stay. Soon after he came Mr. Walters came in with a double-barrel gun. When he entered the room he said: "I expected to find Bill Farrar here, and I was going to blow his

room he said: "I expected to find Bill Farrar here, and I was going to blow his brains out." He walked to me and said: "I intend to settle this thing." and slapped me in the face. My brother, Stuart, asked him what he meant by that. Mr. Walters reached for his gun, which was in the corner of the room. Stuart tried to hold him. He asked Stuart to let him go. Stuart said. "I will, if you will quit." He dropped the gun and drew his pistol and commenced firing on Stuart. After Mr. Walters had fired two shots Stuart pulled his pistol and com-Stuart. After Mr. Walters had fired two shots Stuart pulled his pistol and com-menced firing. I left the room and ran in the hall to the 'phone to call for help. I thought my brother was killed. With Mrs. Walters' evidence the case

with Mrs. Walters' evidence the case was closed, and the papers given to the jury without argument at 5:15 P. M. In eight minutes the jury rendered a verdict of not gullty.

THIEF CONFESSED.

He Stole Jewels and Wrote Letter Threatening Employer's Son's Life. (By Associated Press.)

KANSAS CITY, MO., March 26.-Wiliam Dearduff, 20 years old, a clerk, was errested to-day charged with stealing \$100 worth of diamond rings from his employers. Edwards & Sloan. When confronted with the rings Dearduff broke

down and confessed.

Dearduff also confessed to having sent Mr. Edwards' the senior member of the firm, a letter threatening to kidnap the jeweler's son if he did not immediately roduce \$1,000.

Dearduff said he planned the robbery by himself and had taken no one into confidence. his confidence.
Edwards made up a package of waste paper and sent it by Dearduff to the place indicated in the letter. Dearduff reported that he was met by two men who took the package from him. Later he reported finding the empty tray in the basement and asserted that some one had stabbed him. Deardoff to-day admitted having inflicted the would

himself. He will be prosecuted for grand

THE COCOA MATTING FACTORY.

The Work of Organizing the Company Is The work of organizing the company to engage in the manufacture of cocoafibre matting in this city is progressing

The gentlemen at the head of the scheme said last night that he had no doubt the company would be formed and the enterprise under way in due time. The enterprise is attracting attention and it is the belief of financial and in-dustrial men that the business will prove most profitable.

Ramors Denied.

(By Associated Press.) PITTSBURG, PA., March 26.-Report that Senator Quay was suffering from nervous prostration and was in a serious condition were set at rest to-day upon the receipt of the following telegram

from his son:
"St. Luce, Pla., March 28th. "Father is improving steadily. He has returned from fishing, and if there are any signs of nervous prostration I have not been able to observe them. (Signed) "R. R. QUAY."

Direct Line to Manila.

(By Associated Press,) SAN FRANCISCO, March 26.-Two steamers—the Monmouthshire and Car-marthenshire—have been placed on a new line of direct Manila service, established by the Oriental Steamship Company. They are steel ships of 3,000 tons burden and 13-knots speed. It is said that the time ecupied between this city and the Philippines will be twenty-one or twenty-two days. The route will be via Yokehama, Nagasaki, to Manlia and Hong Kong.

Mr. Knox Sent For. (By Associated Press.)

dent has sent for P. C. Knox, the Pitts-burg attorney. He is expected here Thursday, when the Attorney-Generalship will be offered him.

Crew of Sloop Rescued. (By Associated Press.)

ATLANTIC CITY, N. J., March 28 .-Holly Beach Life Saving Station reports sloop Belle, from Virginia for Corron Inlet, oyster laden, had mast carried away off that station. Veessel is now anchored. Crew have been rescued.

Schooner Ashore. (By Associated Press,)

MOBILE, ALA., March 26.—The American schooner George W. Waitford, Capain Mvers, from Belisee, running in the Jamaica and British Honduras fruit trade, has gone ashore on Sand Island, outside Mobile Bay, and is reported a total loss. The crew got ashore safely. and British Honduras Appointed by the President.

Beings Should Be-Poor Facilities for Preparing Food, Which Has to Be Gotten Without Protection from the Weather - Authorities

The horrible conditions existing in the Virginia penitentiary were plainly preented to the physicians of Richmond last night in a paper read before the Academy of Medicine and Surgery by Dr. Charles V. Carrington.

Powerless to Do Better

The meeting was held at the Jefferson and there was a good attendance. . Dr. Stuart McGuire, the president, occupied the chair, and Dr. W. K. McCoy was elected a fellow of the academy. The paper of Dr. Carrington is an exceedingly interesting one and he was given the closest attention. The fact that he is surgeon of the penitentiary and familiar with the onditions existing in the prison, adds

weight to his views.
Following the reading of Dr. Carrington's paper, Dr. Wm. S. Gordon, city jall physician, said that there was only one difference between the penitentiary and the jail, and that was the confinement of the insane in the latter. The Legislature, in cutting down the expense of maintaining the asylums, caused increase of expense by confining the patients in jail, which often caused their death. The conditions were a disgrace to the State of Virginia and a barbaric shame to the city of Richmond! In concluding, he stated that Dr. Shrody, of New York, had called atention to the condition of the insane in

this State. DR. CARRINGTON'S PAPER. Dr. Catrington's paper is one of such inversal interest that The Times prints

universal interest that Tho Times prints it in full. It follows:

Mr. President and Gentlemen:

The paper I have for your consideration to-night should excite the keenest interest in the mind of every good citizen. I ask your careful and critical attention. The proper object of a physician's care is the alleviation of physical suffering in every form and under all circumstances in which it comes within the scope of his practice. I have during the past few months been brought immediately in touch with a type of suffering far removed from the ken of the general practitioner and entirely outside of the observation of the citizens of this State, though they are themselves, unconsciously, the cause of it.

This is my apology for presenting before this body the statement of some few facts pertaining to the "existence" of prisoners in the penitentiary of Virginia. All of them may be substantiated by absolute proofs. I propose now to deal with them briefly in this paper, so that a healthy sentiment may be aroused throughout the State, calculated to remove as far as possible the evils which they bespeak.

It is not my intention to condone the faults—grave or otherwise—of the prisoners; to claim one "jot or tittle" less of punishment for them than the law wisely determines should be theirs, or to add one grain of comfort more than justice and it in full. It follows:

determines should be theirs, or to add one grain of comfort more than justice and humanity permit and demand; but it is my wish to show that the "existence" of the prisoners in the "penitentiary" is not according to what justice, as dictated by humanity and meted out by law, should extend to men who, having lost the right of citizenship, enter into a new relationship with the State as wards, and have no means of helping themselves except as she dictates.

SIN CRYING FOR VENGEANCE.
Disease, by way of epidemic, fills the determines should be theirs, or to add one

as she dictates.

SIN CRYING FOR VENGEANCE.
Disease, by way of epidemic, fills the mind of every citizen with horror, and all, as with one accord, work toward preventing its approach. Disease, contagious, strikes with terror, and all that science and medical skill can do is done to stamp it out. It is quarantine, against: it is isolated; it is fought on every side, and no stone is left unturned to uproot it. Disease, compulsorily and needlessly generated in the penitentiary, however, is regarded with silent apathy and so permitted that it becomes a sin crying to Heaven for vengeance.

I have the honor of our State at heart, and as one of her citizens, as well as surgeon to the penitentiary. I wish to show that this is so, with a view to legislative action—looking especially toward abolishing the disease last referred to.

I keep in view in the beginning the fact that confinement in the penitentiary has a triple object. It must be "punitive" by reason of the misdeeds of the criminal (Continued on Sixth Page.)

(Continued on Sixth Page.) SUMMARY OF TO-DAY'S NEWS

Local.

Local.

-Dr. Carrington discusses the horrible conditions existing at the penitentiary.

-Convention candidates speak in Fulton. Busy day in politics.

-Medical College students will not adopt the honor system.

-Jail plans further discussed and referred to engineer.

-Death or Colonel Wilson, father-in-law of Mr. George W. Stevens.

-Street-car men hope to secure adoption of nine-hour rule.

State.

State

-Stuart R. Bailey acquitted of blame for killing City Treasurer Walters of Charlottesville. -Gas company chartered in Petersburg.
-Man instantly killed by train in Wash-

- name instanting and the second of the seco worth of stamps. -Violent storm predicted on Atlantic

coast.

General.

-Hold bank robbery perpetrated in Somerset, O.

-Daring attempt made to kidnap eleven-year-old boy in Wilkesbarre, Pa.

-There is great doubt of two-thirds vote necessary for impeachment of North Carolina judges.

-The list of dead in Birmingham tornado somewhat reduced.

-Czar of Russia unnerved by frequent attempts on his life.

-Russian authorities instructed to stop disorders at all hazards.

-New phase in Chinese negotiations.

Foreign.

(By Associated Press.)
WASHINGTON, March 26.—The President to-day appointed Edgar A. Angler. of Georgia, to be attorney of the United States for the Northern District of Geor-